

REGULAR MEETING  
June 11, 2001

The Regular Meeting of the Annapolis City Council was held on June 11, 2001 in the Council Chamber. Mayor Johnson called the meeting to order at 7:40 p.m.

Present on Roll Call: Mayor Johnson, Aldermen Hammond, Tolliver, Gilmer, Sachs, McMillan, Carter, Fox, Moyer

Staff Present: City Attorney Goetzke, Human Resources Director Milburn, Central Services Director Harrison, Finance Director Sulick, Police Chief Johnson, Police Capt. Simpson

Alderman Sachs moved to postpone O-26-01 to June 19, 2001. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Johnson, Aldermen Sachs, Fox, Moyer  
NAYS: Aldermen Hammond, Tolliver, Gilmer, McMillan, Carter  
DEFEATED: 5-4

Alderman McMillan moved O-9-01 be heard before O-16-01. Seconded. A ROLL CALL vote was taken:

YEAS: Aldermen Hammond, Tolliver, Gilmer, McMillan, Carter  
NAYS: Mayor Johnson, Aldermen Sachs, Fox, Moyer  
CARRIED: 5-4

Without objection, the agenda as amended was adopted.

Alderman Gilmer moved to approve the Journal of Proceedings for: April 30, 2001 Special, May 14, 2001 Regular, May 29, 2001 Special. Seconded. CARRIED on voice vote.

**PETITIONS, REPORTS AND COMMUNICATIONS**

1. Michael Dye  
1315 Hawkins Lane  
Annapolis, MD 21401

Spoke regarding O-26-01

2. Erich J. Rose  
Inner West Street Development Committee of the Ward One Residents Association  
62 Southgate Avenue  
Annapolis, MD 21401

Spoke in favor of O-24-01 and R-13-01

3. Michael J. Parker  
28 Madison Place  
Annapolis, MD 21401

Spoke in favor of O-9-01

4. Christine Moguee  
24 Madison Place  
Annapolis, MD 21401

Spoke in favor of O-9-01

5. John Clemens  
Presidents Hill Community Association  
48 Madison Place  
Annapolis, MD 21401

Spoke in favor of O-9-01

6. Bob Burdon  
Annapolis and Anne Arundel County Chamber of Commerce  
151 West Street #101  
Annapolis, MD 21401  
  
Spoke in favor of O-7-01 and O-9-01
7. Bob B. Eyster  
1251 Creek Drive  
Annapolis, MD 21403  
  
Spoke in favor of R-12-01 and R-14-01
8. Judy Dein  
210 S. Cherry Grove Avenue  
Annapolis, MD 21401  
  
Spoke regarding O-26-01
9. Jim Hobson  
1106 Jennifer Lane  
Annapolis, MD 21403  
  
Spoke in favor of R-17-01
10. Julie Stankivic  
906 Primrose Road, Apt. 204  
Annapolis, MD 21403  
  
Spoke regarding Eastport Terrace Recreation Center leaky roof
11. Laurie Sears  
1408 Damsel Lane  
Annapolis, MD 21403  
  
Spoke regarding Annapolis Sister Cities
12. Louise Beauregard Meyers  
P.O. Box 604  
Annapolis, MD 21404  
  
Spoke regarding public officials
13. Deborah Wood  
Chesapeake Children's Museum  
1332 Swan Drive  
Annapolis, MD 21401  
  
Spoke in favor of O-19-01
14. Renee Marshall  
10 Cornhill Street  
Annapolis, MD 21401  
  
Spoke regarding O-18-01
15. Gary Jobson  
Ocean Race Chesapeake  
10 Thompson Street  
Annapolis, MD 21401

Spoke in favor of O-7-01

## LEGISLATIVE ACTION

### Section A

**O-24-01** For the purpose of conveying, by deed, the City's rights, title, and interest in the property known as 161, 167, 169, 175, 177, 179 and 181 West Street in the City of Annapolis, to West Village Corporation, subject to certain terms and conditions; providing for the property to be sold at private sale; and all matters generally relating to said conveyance.

There being no voice objection, O-24-01 was postponed.

### Section B

**CA-1-01** For the purpose of amending the Charter of the City of Annapolis, Article II, Sec. 4 by removing obsolete salary amounts from the Charter.

Alderman Hammond moved to adopt CA-1-01 on second reading. Seconded.

The Rules Committee reported favorably with amendments on CA-1-01.

Alderman Hammond moved to amend CA-1-01 as follows:

#### **No. 1**

On Page 1, line 34

*strike* "The mayor and aldermen shall not be allowed any fixed amount for expenses.";

*add* "The mayor and aldermen shall be allowed such amounts for expenses as established by ordinance."

Seconded. CARRIED on voice vote.

Alderman Sachs moved to amend the purpose clause of CA-1-01 as follows:

For the purpose of amending the Charter of the City of Annapolis, Article II, Sec. 4 by removing obsolete salary amounts from the Charter and to revise provisions related to allowances. Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

Alderman Sachs moved to adopt CA-1-01 amended on third reading. Seconded. CARRIED on voice vote.

**O-18-01** For the purpose of specifying compensation and allowances to be paid to the Mayor and Aldermen for the terms of office commencing on the first Monday in December, 2001; and matters generally relating to said compensation.

Alderman Hammond moved to adopt O-18-01 on second reading. Seconded.

The Finance Committee reported favorably with amendments on O-18-01.

Alderman Sachs moved to amend O-18-01 as follows:

**No. 1**

On Page 1, line 33

*strike* “except in any year in which City employees do not receive a cost of living adjustment (COLA)”;

**No. 2**

On Page 1, line 41

*strike* “except in any year in which City employees do not receive a cost of living adjustment (COLA)”.

Seconded. CARRIED on voice vote/A ROLL CALL vote was taken

Without objection, Alderman Hammond withdrew her amendment to O-18-01.

Alderman McMillan moved to amend O-18-01 as follows:

**No. 1**

On Page 1, line 29

*strike* “This salary will be adjusted annually on July 1, beginning on July 1, 2002, and continuing each year thereafter in accordance with the Consumer Price Index (CPI) for the Baltimore-Washington Metropolitan Statistical Area as established in the March report except in any year in which City employees do not receive a cost of living adjustment (COLA).”

**No. 2**

On Page 1, line 38

*strike* “This salary will be adjusted annually on July 1, beginning on July 1, 2002, and continuing each year thereafter in accordance with the CPI for the Baltimore-Washington Metropolitan Statistical Area as established in the March report except in any year in which City employees do not receive a cost of living adjustment (COLA).”

Seconded. CARRIED on voice vote.

Alderman McMillan moved to amend O-18-01 as follows:

**No. 3**

On Page 2, line 1

*strike* “Additionally, the City shall make available up to \$1500 per annum to each alderman to be use solely for training, i.e., attendance at seminars, meetings, courses, and conferences that will enhance their ability to fulfill their aldermanic functions. All unused monies shall revert to the general fund at the close of the fiscal year.”

Seconded. A ROLL CALL vote was taken:

YEAS: Alderman McMillan

NAYS: Mayor Johnson, Aldermen Hammond, Tolliver, Gilmer, Sachs, Carter, Fox, Moyer

DEFEATED: 8-1

The main motion as amended CARRIED on voice vote.

Alderman Sachs moved to adopt O-18-01 amended on third reading. Seconded. CARRIED on voice vote.

Alderman McMillan requested the record reflect his objection to the passage of O-18-01.

### Section C

#### **O-26-01 For the purpose of altering the eight election wards of the City of Annapolis; and all matters generally relating to said wards.**

Alderman Sachs moved to adopt O-26-01 on second reading. Seconded.

Alderman Tolliver moved to substitute O-26-01 Revised (6/6/01) with map labeled "Alternate Proposed Wards, City of Annapolis". Seconded.

At 9:18 p.m., Mayor Johnson requested Alderman Moyer preside over the meeting during his absence.

At 9:20 p.m., Mayor Johnson resumed the duties of the Chair.

Frederick Sussman, Esq., 125 West Street, Annapolis, MD 21401, Chairman of the Redistricting Committee, gave a brief presentation and answered question from the Council.

The motion to substitute O-26-01 Revised (6/6/01) CARRIED on voice vote.

Alderman Sachs moved to adopt O-26-01 Revised on second reading. Seconded.

Alderman Sachs moved to amend O-26-01 Revised as follows:

#### **No. 1**

On Page 1, line 38 (two times)

*strike* "CAVERT"; *add* "CALVERT",

#### **No. 2**

On Page 1, lines 40 and 41

*strike* "BADEN"; *add* "BLADEN",

#### **No. 3**

On Page 1, line 45

*strike* "SEVERED"; *add* "SEVERN",

#### **No. 4**

On Page 2, lines 5 and 8

*strike* "TRISTAN"; *add* "TRUXTUN",

#### **No. 5**

On Page 4, line 39

*strike* "TRUXTON"; *add* "TRUXTUN",

**No. 6**

On Page 7, line 16

*strike* "TRUXTON"; *add* "TRUXTUN"

Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

Alderman Hammond moved to adopt O-26-01 Revised Amended on third reading.  
Seconded. CARRIED on voice vote.

The meeting was recessed at 9:51 p.m. and reconvened at 10:06 p.m.

Section D - Budget Items

**O-9-01** For the purpose of approving and adopting an operating budget for the City of Annapolis for the fiscal year 2001-2002, beginning July 1, 2001 and ending June 30, 2002; to appropriate funds for expenditures for the fiscal year beginning July 1, 2001 and ending June 30, 2002; levying and imposing a real property tax rate for the Fiscal Year beginning July 1, 2001 and ending on June 30, 2002, for the purpose of defraying all expenses and liabilities of the City of Annapolis and levying same for the purposes specified; specifying certain duties of the Director of Finance, specifying a rate of interest to be charged upon overdue property taxes; and all matters generally relating to said budget and property tax rate.

Alderman Sachs moved to adopt O-9-01 on second reading. Seconded.

The Finance Committee reported favorably with amendments.

C Alderman Sachs moved to amend O-9-01 as follows:

**AMENDMENT TO FY 02 OPERATING BUDGET**

**28** FINANCE COMMITTEE  
**SPONSORED BY** \_\_\_\_\_

AMENDMENT NO. FC1 \_\_\_\_\_ Date: 5/11/01 \_\_\_\_\_

**INCREASE BUDGET:**

ACCOUNT NUMBER	ACCOUNT TITLE	AMOUNT
110-41990-7993	Grants & Contributions	5,000
110-43115-8100	Engineering & Construction - Capital Outlay	16,000
110-45220-8100-244	Recreation & Parks - Stanton Center - Capital Outlay	7,000

**DECREASE BUDGET:**

ACCOUNT NUMBER	ACCOUNT TITLE	AMOUNT
110-49440-9210	Contingency - General	28,000

EXPLANATION:

To increase the grant to We Care and Friends by \$5,000, from \$10,000 to \$15,000.
To increase the grant to Noah’s Ark by \$5,000, from \$10,000 to \$15,000.
To decrease the grant to Maryland Hall by \$5,000, from \$40,000 to \$35,000.
To provide a \$7,900 grant to First Night for outreach activities.
To decrease the grant to Greater Clay Street by \$7,900, from \$22,900 to \$15,000.
To increase Engineering & Construction capital outlay by \$16,000 for a speed monitoring radar trailer.
To increase Recreation & Parks - Stanton Center capital outlay by \$7,000 for a gym floor cover.

AMENDMENT TO FY 02 OPERATING BUDGET

SPONSORED BY

FINANCE COMMITTEE

AMENDMENT NO.

FC2

Date: 5/11/01

INCREASE BUDGET:

ACCOUNT NUMBER	ACCOUNT TITLE	AMOUNT
624-44300-8100	Washers/Dryers Installation	10,000
624-49420-8610	Depreciation	1,000
624-34160-4103	Dock - Miscellaneous Revenue	1,000

DECREASE BUDGET:

ACCOUNT NUMBER	ACCOUNT TITLE	AMOUNT
624-49420-8620	Non-operating expenditure adjustment	10,000

EXPLANATION:

To increase Dock capital outlay by \$10,000 to purchase and install two clothes washers and two clothes dryers
for placement in the restrooms at the Harbormaster Building.
To increase Miscellaneous Revenue by \$1,000, based on expected fees to be collected for use of the washers and
dryers.

- Alderman Tolliver moved to amend the amendments as follows:

AMENDMENT TO FINANCE COMMITTEE AMENDMENTS TO  
FY 02 OPERATING BUDGET

Sponsored by: Aldermen Hammond, Tolliver, Gilmer, McMillan

Amendment #1

Date 6/11/01

DECREASE BUDGET		
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NEW	Bay Ridge Ave. Traffic Calming (reduce by \$220,000; leave planning funds; move \$220,000 in bonds to FY 03 for construction)	\$220,000
INCREASE BUDGET		
	Add to undesignated surplus (for tax cut identified in companion amendment)	\$212,100
Grants	Restore funds allowed in Mayor's budget to Greater Clay Street Community Association	\$7,900

Seconded.

- Alderman Moyer moved to discuss separately the issues of 1.) Bay Ridge Ave. Traffic Calming and 2.) Restore funds allowed in Mayor's budget to Greater Clay Street Community Association.

Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Johnson, Aldermen Sachs, Moyer  
NAYS: Aldermen Hammond, Tolliver, Gilmer, McMillan, Carter, Fox  
DEFEATED: 6-3

Alderman Tolliver's motion to amend the amendments CARRIED on voice vote.

- Alderman Hammond moved to amend the amendments by deleting the following:

INCREASE BUDGET:

ACCOUNT NUMBER	ACCOUNT TITLE	AMOUNT
110-43115-8100	Engineering & Construction - Capital Outlay	16,000

Seconded. A ROLL CALL vote was taken:

YEAS: Aldermen Hammond, Tolliver, Gilmer, McMillan, Carter  
NAYS: Mayor Johnson, Aldermen Sachs, Fox, Moyer  
CARRIED: 5-4

The Finance Committee Amendments 1 & 2 as amended CARRIED on voice vote.

C Alderman Tolliver moved to amend O-9-01 as follows:

AMENDMENT TO FY 02 OPERATING BUDGET  
Sponsored by: Aldermen Hammond, Tolliver, Gilmer, McMillan

Amendment #1Date 6/11/01

DECREASE BUDGET (OPERATING FUNDS)		
Account Number	Account Title	Amount
grants	reduce grant to Maritime Museum for McNasby's	50,000
110-41540-7996	Eliminate floating secretary	25,000
Undesignated reserves	reduce undesignated reserves	190,856
Capital Projects (pay-go funds)		
Proj. # 515	Defer financial management system	750,000



New	Eliminate police land acquisition	350,000
New	Eliminate Glenwood storm drain	186,000
New	Reduce and defer mobile data computing	102,000
New (Finance Com Amendment)	Plan Bay Ridge Ave. Traffic Calming; defer construction	220,000
TOTAL - general fund		1,873,856

INCREASE BUDGET

Account Number	Account Title	Amount
Revenues (decrease)	Property Tax (decrease \$.02)	\$500,956.
110-45220-6110-000-244	Stanton Ctr. Salaries	15,000
Grants (amend Finance Amend)	Restore Finance Cut to Clay St. Dev. Corp	7,900
Capital Projects (pay-go funds)		
Project #449	Sidewalks, Forest Drive	848,000
Project #114	Porter Drive Outfall	202,000
	Road Resurfacing	200,000
New	Germantown Fields, drain connection/correction	50,000
New	Purchase property to realign Lafayette @ West	50,000
TOTAL - general fund	(See notes, following)	1,873,856

Amendment #1 Continued

Changes to the Capital Improvement Program:

Reduce out-year allowances, as appropriate, for capital projects funded in FY 02 by the above amendments, and

A) In the FY 03 Capital Budget, allow \$190,000 in operating funds and \$30,000 in bond funds for Police Computers (NEW in 02)

B) In the FY 03 Capital Budget, allow \$220,000 in bond funds for Traffic Calming, Bay Ridge Ave. (NEW in 02, Finance Committee amendments)

C) In the FY 03 Capital Budget, allow \$750,000 in bond funds for computer system, Finance (#515)

[Net proposed future bonded indebtedness is equal to that in Mayor’s budget with proposed Finance Com. amendments]

Additional Amendments, Clarifying and Restrictive Language:

A) Grants, Maritime Museum for McNasby Renovations: add “This grant is contingent on generation of new private, matching funds and restricted in use for capital expenses associated with renovations to the McNasby site.”

B) In account 110-41316-7240, Volvo Races, add “These funds are restricted in use to payment for police and fire services and clean-up associated with the Volvo Race event.”

C) In the description of Capital Project # 433, add “Funds are included to 1) At the end of phase one, restore traffic signals, operating on an on-demand mode, at the following intersections: Madison and West; Jefferson/Monticello and West; and 2) Construct at an estimated \$150,000 gateways to five residential neighborhoods, as described in the Faux Plan; and 3) Design and implement in each phase of construction the urban design streetscape on West Street and West Washington Street.”

D) In account 110-42112-6120 (Police Overtime), append the attached list of events, supplied by the Police Department, and add the following language: “ Use of City-funded Police Overtime for special events is restricted to the events and amounts indicated on the attached list.”

SPECIAL EVENTS FOR WHICH USE OF CITY-FUNDED OVERTIME  
IS AUTHORIZED FOR THE POLICE DEPARTMENT WITHOUT FURTHER ACTION  
BY THE CITY COUNCIL

<u>Event</u>	<u>Amount</u>
Rallies (Legislative Related)	\$4,755
Pony League Parade	609
Taste of the Nations	534
Fourth of July	14,971
Annapolis 10K Run	2,884
Elks Parade	1,109
Navy Football (6 games)	28,126
MRE Tug of War	1,001
ABATE Helmet Rally	871
Veterans’ Day Parade	743
Grand Illumination	697
EYC Parade of Lights	3,897
Eastport -A-Rockin’ Street Fest	2,360
Orthopaedic 5K Run	382
Annapolis High Parade	971
We Care & Friends Parade	298
March of Dimes Walk	1,139
Bay Bridge Walk	2,383
Annapolis Music Festival	875
Spring Fling	880
Taste of the Nations	534
USNA Graduation/Blue Angels	13,669
Memorial Day Parade	1,285

Explanation/Notes Re: Proposed Changes to Budget

CHANGE	EXPLANATION
Decreases	
Maritime Museum grant	Reduction in City funds to stimulate private fund-raising; restrict use consistent with testimony on expected use
Floating Secretary	This position was represented as saving funds used for temporary help; Cut anticipates that salaries previously used for temporary help will be redirected
Financial Mgmt. System	Study of needs of system is not expected to be complete until near the end of the fiscal year; unlikely to be able to implement bidding and installation of new system in FY 02 (move funds to FY 03)
Police Land Acquisition	Need for space of this size undocumented; issues with wetlands; property to be acquired is zoned residential, which is preferred community use; consider other designs for department expansion using existing land

Glenwood drain	This is not City property; repair is responsibility of the Annapolis Housing Authority
Mobile Data Computing	Funds retained plus expected grant should be adequate to initiate and pilot test this program (additional allowance moved to FY 03)
Bay Ridge Traffic Calming	Allow funds for planning project in FY 02, with construction in FY 03
Increases	
Property tax cut (\$0.02)	Allow some tax relief in light of surplus revenues and ongoing revenue availability from one-time items in budget
Stanton Center Salaries	Based on anticipated shortages in FY 01 associated with 7-day/12-15 hour operations
Clay Street Development Assoc.	Restores cut from Mayor's allowance; expect expanded activity in FY 02 associated with application for Community Legacy grant and other initiatives
Sidewalks, Forest Drive	Completes amount needed to build sidewalks
Road Resurfacing	Provides some relief for backlog of projects
Germantown Fields	Allows completion of drainage projects omitted in original project and correction of drainage design problems that cause field flooding
Realignment West & Lafayette	Recommended by West St. Design Committee to align Lafayette with Lowe's hotel entrance for better and safer pedestrian and automobile passage (funds allow property to be purchased for the project)

and by amending O-9-01 line 7, page 2, to reduce the property tax rate to 62.4 cents. Seconded.

- Alderman Moyer moved to amend the amendments by deleting the following:

“DECREASE BUDGET (OPERATING FUNDS)

Account Number	Account Title	Amount
grants	reduce grant to Maritime Museum for McNasby's	50,000

”

Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Johnson, Aldermen Sachs, Fox, Moyer  
NAYS: Aldermen Hammond, Tolliver, Gilmer, McMillan, Carter  
DEFEATED: 5-4

- Alderman Fox moved to amend the amendment by deleting the following:

“DECREASE BUDGET (OPERATING FUNDS)

Account Number	Account Title	Amount
110-41540-7996	Eliminate floating secretary	25,000

”

Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Johnson, Aldermen Sachs, Fox, Moyer  
NAYS: Aldermen Hammond, Tolliver, Gilmer, McMillan, Carter  
DEFEATED: 5-4

- Alderman Moyer moved to amend the amendment by deleting the following:

“DECREASE BUDGET (OPERATING FUNDS)

Account Number	Account Title	Amount
New	Eliminate police land acquisition	350,000

”

Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Johnson, Aldermen Sachs, Fox, Moyer  
NAYS: Aldermen Hammond, Tolliver, Gilmer, McMillan, Carter  
DEFEATED: 5-4

A ROLL CALL vote was taken on Alderman Tolliver’s amendments:

YEAS: Aldermen Hammond, Tolliver, Gilmer, McMillan, Carter  
NAYS: Mayor Johnson, Alderman Sachs, Fox, Moyer  
CARRIED: 5-4

The main motion as amended CARRIED on voice vote.

Alderman McMillan moved to adopt O-9-01 Amended on third reading. Seconded. CARRIED on voice vote.

Alderman Sachs moved to suspend the rules to conduct business after 11:00 p.m. Seconded. CARRIED on voice vote.

**O-16-01 For the purpose of amending the Retirement Plan of the City of Annapolis for certain members of the Police and Fire Departments; and matters generally relating to said Retirement Plan.**

Alderman Sachs moved to adopt O-16-01 on second reading. Seconded.

The Finance Committee reported favorably on O-16-01.  
The Public Safety reported favorably on O-16-01.  
The Rules Committee reported unfavorably on O-16-01.

The main motion CARRIED on voice vote.

Alderman Moyer moved to adopt O-16-01 on third reading. Seconded. CARRIED on voice vote.

Alderman Sachs moved to suspend the rules to conduct the remaining business after 11:00 p.m. Seconded. CARRIED on voice vote.

**O-17-01 For the purpose of amending the pay grades assigned to exempt service positions; revising the definition of the term “pay plan”, revising the title of certain exempt service positions; deleting references to other exempt service titles; providing for the designation of the salary of the city administrator position; providing for procedures governing merit based increases for exempt service employees and all matters relating to exempt service positions.**

Alderman Sachs moved to adopt O-17-01 on second reading. Seconded.

Alderman Fox moved to amend O-17-01 as follows:

**No. 1**

On Page 1, line 37

*strike* “Each pay grade consists of a **minimum, midpoint, and** maximum ~~and minimum level and intermediate levels of pay.~~”;

*add* "Each pay grade consists of a maximum and minimum level and intermediate levels of pay.",

**No. 2**

On Page 2, line 8

*strike* "A.";

*add* "A. 1."

**No. 3**

On Page 2, line 32

*add* "2."

**No. 4**

On Page 2, line 44

*strike* "3: 4. Shall not be for an amount exceeding one pay step in the grade range for the position as set in subsection (A) of this section that which is authorized by the city council during the annual budget process;";

*add* "3: 4. Shall not be for an amount exceeding one pay step in the grade range for the position as set in subsection A(1) of this section;";

**No. 5**

On Page 3, line 4

*strike* "4: 5. Shall not cause an individual's salary to exceed the maximum salary of the assigned grade, and in the case of the city administrator, shall not cause the individual's salary to exceed the maximum salary of the highest pay grade of the pay plan.";

*add* "4: 5. Shall not cause an individual's salary to exceed the maximum salary of the assigned grade.";

**No. 6**

On Page 3, line 11

*strike* "D. A city employee appointed to a position specified in subsection (A) A. of this section shall be assigned to a salary in the new pay grade which is five percent higher than the employee's salary prior to promotion one step higher than that employee's current salary five percent higher than the employee's salary, or shall be assigned to the minimum of the new grade, whichever is higher. In no case shall the new salary exceed the maximum salary of the new grade.";

*add* "D. A city employee appointed to a position specified in subsection (A) A(1) of this section shall be assigned to a salary in the new pay grade which is at a minimum five percent higher than the employee's salary prior to promotion one step higher than that employee's current salary five percent higher than the employee's salary, or shall be assigned to the minimum of the new grade, whichever is higher. In no case shall the new salary exceed the maximum salary of the new grade.";

**No. 7**

On Page 3, line 18

*strike* "E. The mayor may make an initial appointment at a salary greater than the first step of level within the assigned grade. The appointment and initial salary is subject to confirmation

by the city council.”;

*add* “E. For positions specified in subsection A(1), the mayor may make an initial appointment at a salary greater than the first step of the assigned grade. The appointment and initial salary is subject to confirmation by the city council.

Seconded. CARRIED on voice vote.

Alderman Hammond moved to table O-17-01. Seconded. A ROLL CALL vote was taken:

YEAS: Aldermen Hammond, Tolliver, McMillan  
NAYS: Mayor Johnson, Aldermen Gilmer, Sachs, Carter, Fox, Moyer  
DEFEATED: 6-3

Alderman McMillan moved to amend O-17-01 as follows:

On page 2 line 31-32

The salary of the city administrator shall be ~~designated by the mayor at the time of the city administrator's initial appointment.~~ proposed and approved by the council at the time of the city administrator's confirmation hearing.

Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

Alderman Moyer moved to adopt O-17-01 amended on third reading. Seconded. CARRIED on voice vote.

**R-9-01 For the purpose of approving the fee schedule pursuant to the adoption of the current expense budget for the City of Annapolis for the fiscal year 2001-2002, beginning July 1, 2001 and ending June 30, 2002; and all matters relating to said fee schedule.**

Alderman Sachs moved to adopt R-9-01 on second reading. Seconded.

The Finance Committee reported favorably with amendments on R-9-01.

■ Alderman Sachs moved to amend R-9-01 as follows:

**No. 1**

On Page 38, line 21

*strike* “8 hours”; *add* “10 hours”,

**No. 2**

On Page 38, line 22

*strike* “8 hours”; *add* “10 hours”,

Seconded. CARRIED on voice vote.

■ Alderman McMillan moved to remove all proposed parking garage rates and fee increases on page 38-39. Seconded. CARRIED on voice vote.

■ Alderman Gilmer moved as follows:

“In the fee schedule attached to R-9-01, strike section 7.48.570 “Taxicab” in its entirety”.

Seconded. CARRIED on voice vote.

■ Alderman Sachs moved to amend R-9-01 as follows:

On Page 40, line 18, *strike*

“		TRANSIT FARES	
Charter of the City of Annapolis		Article VI, Section 9(b)	
Base cash fare . . . . .		\$	.75
Mobility base cash premium fare . . . . .		\$	1.25
Discount tickets (a ten-trip ticket) . . . . .		\$	6.25
Tokens			
individual (each) . . . . .		\$	.65
bulk purchase . . . . .		\$	35.00
(for 100 by special arrangement only - for free distribution by employers to staff and tourists)			
Transit Passes:			
Department of Transportation pass . . . . .		provided to City and contractual staff for free transportation	
(with validation)			
Department of Transportation pass plus \$.35 . . . . .		provided to all individuals over age 60, handicapped or receiving Federal Medical Aid, with proper Dept. validation, for travel on fixed route and schedule services	
Transit Fees:			
Trolley rate (per hour) (2 hour minimum) . . . . .		\$	75.00
Transit services (per hour) . . . . .		\$	40.00
(open to the public - no vehicle guarantee)”;			

<i>add</i> “	FARE	NEW RATES	
Base cash fare	75¢		
Token	75¢		
Route deviation cash fare - - for all ADA and Special transportation services	<i>equal to twice base fare</i>		
Fixed route off-peak cash fare -- restricted to those over 60, disabled or on Federal medical assistance with ID	<i>50% base fare rounded down</i>		
Zonal fee	<i>25¢ per zone in proportion to cost per mile</i>		
Discount punch card	<i>10 ride 95% of value rounded down</i>		
Day pass	<i>\$2.50 for multiple trips</i>		
Monthly	<i>90% of value rounded down</i>		

Quarterly	<i>85% of value rounded down</i>
Annual Pass	<i>75% of value rounded down</i>
Tokens in bulk	<i>\$35 / 100 half of value rounded down not for resale</i>
Special Transportation - - Municipal	<i>\$30 / hour average operating cost per hour</i>
Special Transportation - - Other	<i>\$50 / hour fully allocated cost per hour</i>

Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

**R-12-01      For the purpose of adopting a revised pay plan for the City of Annapolis and assigning each position in the civil service (non-union) and the exempt service to a pay grade within the revised pay plan based upon recommendations set forth in the study conducted by Hendricks and Associates; and all matters relating to the proposed pay plan.**

Alderman Sachs moved to adopt R-12-01 on second reading. Seconded.

The Finance Committee reported favorably with amendments on R-12-01.

Alderman Fox moved to amend R-12-01 as follows:

**No. 1**

On Page 1, line 35

*strike* "as Exhibits A and B",

**No. 2**

On Page 1, line 38

*strike* "within the revised pay grade; and";

*add* "within the revised pay plan; and",

**No. 3**

On Page 1, line 42

*strike* ".";

*add* "; and",

**No. 4**

On Page 1, line 43

*add* "WHEREAS, after further review of the recommendations from the Hendricks Study, a modified pay plan, attached hereto as Exhibit A, was created to include steps within each grade; and

WHEREAS, the modified pay plan also incorporates longevity increases within each grade for civil service employees.



**No. 5**

On Page 2, line 14

- strike* "1. Effective July 1, 2001, each such position shall be assigned to the pay grade within the revised pay plan as designated on Exhibit A hereto. Effective July 1, 2001, each incumbent employee of those positions shall receive an increase in pay equal to 5% of the midpoint of the new pay grade to which his/her position is assigned.
2. Effective July 1, 2001, employees who are scheduled, under the pay plan existing on the date of this resolution, to receive a longevity increase and to qualify for a merit increase during FY 2002 totaling more than the increase in pay referred to in the preceding paragraph, shall receive in addition to the increase referred to in the preceding paragraph a further increase in pay equal to: (1.) the sum of the longevity increase and merit increase under the existing pay plan, less (2.) the increase in pay referred to in the preceding paragraph. The purpose of this provision is to ensure that the elimination of longevity increases does not result in a decrease in pay for any employee.
3. Any and all reclassifications recommended by the Hendricks study and proposed by the administration shall according to the provisions of the City Code and shall not be considered to be implemented by this resolution.”;
- add* "1. Effective July 1, 2001, each such position shall be assigned to the pay grade within the revised pay plan as designated on Exhibit B hereto.
2. Effective July 1, 2001, each incumbent employee of those positions shall be placed in a step within the newly assigned grade that is closest to, **but not less than one hundred two percent (102%)** of the incumbents current salary. The pay plan, attached as Exhibit A, outlines the new grades and steps.
3. For civil service employees, the pay plan attached as Exhibit A combines the current merit system of moving to a higher step within a grade on an employee's anniversary date and the current system of longevity increases after seven, twelve, and fifteen years of service. Such an employee who receives a merit increase or a longevity increase will move to the next higher step in his or her grade. If a merit increase and a longevity increase occur at the same time, the employee will move up two steps. For each civil service employee, three steps in each grade shall be used only for longevity increases (including longevity increases previously received by the employee), and the remaining steps shall be used for merit increases. A longevity step increase given in a lower grade will count as a longevity step in a higher grade if the employee is promoted.
4. For exempt employees, the step system in the new pay plan includes the current merit system of moving to a higher step within a grade or an employee's anniversary date. An exempt employee who receives a merit increase will move to the next higher step in his or her grade.
5. Any and all reclassifications recommended by the Hendricks study and proposed by the administration shall proceed accordingly to the provisions of the City Code and shall not be considered to be implemented by this resolution.”

Seconded.

- Alderman Sachs moved to amend the amendment #5 as follows:

- add* "2. Effective July 1, 2001, **other than employees who are red circled**, each incumbent employee of those positions shall be placed in a step within the newly assigned grade that is closest to, but not less than one hundred two percent (102%) of the incumbents current salary. The pay plan, attached as Exhibit A, outlines the new

CARRIED on voice vote.

**R-13-01** For the purpose of adopting a capital improvement budget for the Fiscal Year 2002, and a capital improvement program for the six year period from July 1, 2001 to June 30, 2007; and all matters relating to said budget and program.

The Finance Committee reported favorably on R-13-01

C Alderman Sachs moved to amend R-13-01 as follows:

**SPONSORED BY** FINANCE COMMITTEE

Date: 5/11/01

ACCOUNT NUMBER	ACCOUNT TITLE	AMOUNT
110-36470	Prior Year Operating Surplus	1,164,000
110-49800-9839	Transfer to Capital Projects	1,164,000

**EXPLANATION:**  
To move up funding for the following projects to FY2002:

#449	Forest Drive Sidewalks	\$	500,000
#113	German Street Drainage Improvements		77,000
New	Porter Drive Outfall Repair		33,000
New	Eastport Fire Station		50,000
New	Chesapeake Avenue - ADA Modifications		68,000
New	Bay Ridge Avenue Traffic Calming		240,000
New	Eastport Street Widening		<u>196,000</u>
		\$	1,164,000

FY2003 CIP Plan

#449	Forest Drive Sidewalks - Bond funding	\$ 1,000,000
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Seconded.

## AMENDMENT TO FY 02 - FY 07 CAPITAL IMPROVEMENT PROGRAM

**SPONSORED BY** FINANCE COMMITTEE

AMENDMENT NO. FC3 Date: 5/11/01

**INCREASE BUDGET:**

EXPLANATION:  
To move up funding for the following projects to FY2002:

New	Bay Ridge Avenue Traffic Calming	240,000 <u>20,000</u>
Add:		
FY2003 CIP Plan		
#449	Forest Drive Sidewalks - Bond funding	\$ 1,000,000

Seconded. CARRIED on voice vote.

Alderman Sachs moved to adopt the amendment as amended. Seconded. CARRIED on voice vote.

C Alderman Tolliver moved to amend R-13-01 as follows:

Amendment #1, p. 2, Amendment to FY 02 Operating Budget, Continued from O-9-01

Changes to the Capital Improvement Program:

Reduce out-year allowances, as appropriate, for capital projects funded in FY 02 by the above amendments, and

A) In the FY 03 Capital Budget, allow \$190,000 in operating funds and \$30,000 in bond funds for Police Computers (NEW in 02)

B) In the FY 03 Capital Budget, allow \$220,000 in bond funds for Traffic Calming, Bay Ridge Ave. (NEW in 02, Finance Committee amendments)

C) In the FY 03 Capital Budget, allow \$750,000 in bond funds for computer system, Finance (#515)

[Net proposed future bonded indebtedness is equal to that in Mayor’s budget with proposed Finance Com. amendments]

Additional Amendments, Clarifying and Restrictive Language:

C) In the description of Capital Project # 433, add “Funds are included to 1) At the end of phase one, restore traffic signals, operating on an on-demand mode, at the following intersections: Madison and West; Jefferson/Monticello and West; and 2) Construct at an estimated \$150,000 gateways to five residential neighborhoods, as described in the Faux Plan; and 3) Design and implement in each phase of construction the urban design streetscape on West Street and West Washington Street.”

Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

**R-14-01 For the purpose of providing a 2% cost of living adjustment for certain retirees of the Annapolis City Police and Fire Departments; and all matters relating to said**

**cost of living adjustment.**

The Finance Committee reported favorably on R-14-01

Alderman Sachs moved to adopt R-14-01 on second reading. Seconded. CARRIED on voice vote.

Section E - 1<sup>st</sup> Readers

**O-21-01 For the purpose of amending the Residential Housing Standards of the City Code to include display of address, doors, screens, clothes dryer vents, vacant structure boarding up, inspection authority; and all matters relating to said Code.**

Alderman Sachs moved to adopt O-21-01 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee

**O-23-01 For the purpose of amending the abandoned vehicle provisions of the City Code to allow one unregistered or uninspected motor vehicle to be parked on a resident's premises.**

Alderman Sachs moved to adopt O-23-01 on first reading. Seconded. CARRIED on voice vote.

Referred to the Public Safety Committee

**O-27-01 For the purpose of amending the definition of accessory buildings; adding requirements to the regulation of accessory buildings; and matters generally relating to said definition and regulation.**

Alderman moved to adopt O-27-01 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee, Rules and City Government Committee, Planning Commission

**O-28-01 For the purpose of amending Section 3.16.150, so as to correct certain erroneous code references; and matters generally relating to said erroneous code references.**

Alderman Sachs moved to adopt O-28-01 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee

**O-29-01 For the purpose of clarifying the grounds for revocation of and ineligibility for a taxicab owner's permit and a taxicab driver's permit; requiring drug treatment as a condition to receiving a taxicab owners permit or a taxicab driver's permit under certain circumstances; providing a specific time period of ineligibility to apply for taxicab owners and drivers under certain circumstances; providing procedures related to revocation of such a permit; amending Article IV's title in Chapter 7.48; and matters generally relating to said taxicab provisions.**

Alderman Sachs moved to adopt O-29-01 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee

**O-30-01 For the purpose of revising the water and sewer rates for certain multifamily residential condominium projects; and matters generally relating to said rates.**

Alderman Sachs moved to adopt O-30-01 on first reading. Seconded. CARRIED on voice vote.

Referred to the Environmental Matters Committee

**R-16-01 For the purpose of approving the designation of a Community Legacy Area and**

**application and receipt of financing for Community Legacy Plans and Community Legacy Projects in Annapolis, Maryland to be financed either directly by the Department of Housing and Community Development (the "Department") of the State of Maryland or through other departments or agencies of the State of Maryland.**

Alderman Sachs moved to adopt R-16 -01 on first reading. Seconded. CARRIED on voice vote.

**R-18-01 For the purpose of adding the Management Plan of the Annapolis, London Town and South County Heritage Area to the documents comprising the Annapolis Comprehensive Plan, and all matters relating to said Heritage Area.**

Alderman Sachs moved to adopt R-18 -01 on first reading. Seconded. CARRIED on voice vote.

**R-17-01 For the purpose of waiving the fees for City services to be provided in connection with the Maryland Avenue Annual Street Festival to be held on September 15, 2001; and all matters relating to said waiver of fees.**

Alderman Moyer moved to adopt R-17 -01 on first reading. Seconded. CARRIED on voice vote.

There being no voiced objection, the rules were suspended to allow passage of the resolution at the meeting of its introduction.

Alderman Hammond moved to adopt R-17-01 on second reading. Seconded. CARRIED on voice vote.

#### Section F - 2<sup>nd</sup> Readers

**O-20-00 For the purpose of amending City Code Section 21.69.050 to remove an exception to the average height limitation of the underlying zone; and matters generally relating to said exception.**

Alderman Moyer moved to withdraw O-20-00. Seconded. CARRIED on voice vote.

**O-4-01 For the purpose of prohibiting the discharging of firearms and fireworks in the city, with certain exceptions.**

Alderman Tolliver moved to adopt O-4-01 on second reading. Seconded.

The Public Safety Committee reported favorably with amendments on O-4-01.

Alderman Moyer moved to amend O-4-01 as follows:

#### **No. 1**

On Page 1, line 32

*strike* " , or fire off or throw any firecrackers, chasers, or other fireworks".

Seconded. CARRIED on voice vote.

Alderman Tolliver moved to amend O-4-01 as follows:

#### **No. 2**

On page 1, line 38

*add* "C. Any person violating the provisions of this section is guilty of a misdemeanor which shall be punishable by a fine not exceeding five hundred dollars [\$500.00]."

Seconded. CARRIED on voice vote.

Alderman Tolliver moved to adopt O-4- 01 as amended on second reading. CARRIED on voice vote.

Alderman Tolliver moved to adopt O-4-01 amended on third reading. Seconded. CARRIED on voice vote.

- O-7-01      For the purpose of authorizing a lease of certain municipal property located in the Compromise Street, general harbor and Dock Street areas to Ocean Race Chesapeake, Inc., a body corporate, for a certain period of time in April 2002, subject to certain terms, provisions, and conditions, for the purpose of conducting sailboat race festivities; and all matters relating to said lease.**

Alderman Moyer moved to adopt O-7-01 on second reading. Seconded.

There being no voice objection, O-7-01 was postponed.

- O-12-01      For the purpose of apportioning among adjacent property owners, all city taxpayers and the State, obligations associated with installing, maintaining and replacing sidewalks; and all matters relating to said sidewalks.**

There being no voice objection, O-12-01 was postponed.

- O-13-01      For the purpose of amending the prohibition on parking certain trailers in certain areas for more than forty-eight hours; and matters generally relating to said prohibition.**

Alderman Moyer moved to adopt O-13-01 on second reading. Seconded.

The Public Safety Committee reported favorably on O-13-01.

The main motion CARRIED on voice vote.

Alderman Sachs moved to adopt O-13-01 on third reading. Seconded. CARRIED on voice vote.

- O-19-01      For the purpose of authorizing the lease of a portion of the building located on certain City property known as 25 Silopanna Road to the Chesapeake Children's Museum, Inc., a nonprofit organization, for the purpose of locating the Children's Museum; and all matters relating to said lease.**

Alderman Moyer moved to adopt O-19-01 on second reading. Seconded.

The Economic Matters Committee reported favorably with lease amendments on O-19-01.

Alderman Moyer moved to amend the lease at: "4. Use of Leased Space: 'Lessee shall not allow any person (including but not limited to guests, invitees or employees) to be on the Premises between the hours of 7:30 ~~10:00~~ PM and 5:00 AM or to cook on the Premises.'" Seconded. CARRIED on voice vote.

Alderman Moyer moved to amend the lease at "3. **Rent:** A. Prior to its occupancy of the Premises, Lessee shall at its sole cost and expense: (l) make the improvements and provide the services set forth in the attached Exhibit "C"... **Fire Marshal Comments:** ~~12. A fire hydrant will be required to be placed at the entrance to 25 Silopanna Road.~~" Seconded. CARRIED on voice vote.

The main motion with lease amendments CARRIED on voice vote.

Alderman Sachs moved to adopt O-19-01 on third reading. Seconded. CARRIED on voice vote.

- O-22-01      For the purpose of amending the residential parking permit application process;**

**and matters generally relating to said residential parking permits.**

There being no voice objection, O-22-01 was postponed.

**BUSINESS AND MISCELLANEOUS**

1. Alderman Sachs moved to adopt the towing license renewals. Seconded. CARRIED on voice vote.

2. Finance Committee Recommendations for Action dated May 16, 2001

Alderman Sachs moved to adopt the Finance Committee Recommendations for Action dated May 16, 2001. Seconded. CARRIED on voice vote.

3. Payment of Monthly Bills

Alderman Sachs moved to pay the monthly bills. Seconded. CARRIED on voice vote.

4. Appointments

Alderman McMillan moved to approve the Mayor's (re)appointments of the following individuals:

6/4/01 Alcoholic Beverage Control Board	Joseph Ball
6/4/01 Alcoholic Beverage Control Board	Antonio A. Brown
6/4/01 Transportation Board	Michael W. Duplechain
6/4/01 Civil Service Board	Velma McCullough
6/4/01 Planning Commission	Whitney Chellis
6/4/01 Building Board of Appeals	C. Douglas Meekins
6/4/01 Recreation Advisory Board	Carrie W. Capuco
6/5/01 Recreation Advisory Board	Stanley A. Taylor
6/6/01 Recreation Advisory Board	Scott Wallace

Seconded. CARRIED on voice vote.

4. FY02 Union Agreement Amendments that pertain to the revised pay plan

- a. Local 400, United Food and Commercial Workers Union, AFL-CIO;
- b. Local 1926, International Association of Firefighters, AFL-CIO;
- c. Local 3162, Maryland Public Employees Council 67, AFSCME;
- d. Local 3406, Maryland Public Employees Council 67, AFSCME.

Alderman Sachs moved to adopt FY02 Union Agreement Amendments that pertain to the revised pay plan for the following:

- a. Local 400, United Food and Commercial Workers Union, AFL-CIO;
- b. Local 1926, International Association of Firefighters, AFL-CIO;
- c. Local 3162, Maryland Public Employees Council 67, AFSCME;
- d. Local 3406, Maryland Public Employees Council 67, AFSCME.

Seconded. CARRIED on voice vote.

5. Housing and Community Development Committee Recommendations for Action dated March 30, 2001

Alderman Gilmer moved to approve the Housing and Community Development Committee Recommendations for Action dated March 30, 2001. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 2:25 a.m.

Deborah Heinbuch, CMC/AAE  
City Clerk